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WAR FOOD ADMINISTRATION

[FDO 53, Amdt. 1]

PART 1460—FATS AND OILS

RESTRICTIONS ON USE AND DISTRIBUTION OF
ANIMAL OIL, NEAT'S-FOOT OIL, AND RED OIL

Food Distribution Order No. 53 (8 F.R. 7003), § 1460.15, issued by the Acting War Food Administrator on May 25, 1943, is amended as follows:

1. By deleting the provisions of paragraph (c) thereof and inserting, in lieu thereof, the following:

(c) *Exceptions.* (1) Notwithstanding the provisions of paragraph (b) (1) of this order, specific authorization of the Director shall not be required with respect to the delivery to any one person during any one calendar month, and acceptance of delivery, use, processing, or blending by any one person in any one calendar month of 450 pounds, or less, of neat's-foot oil and 450 pounds, or less, of red oil.

(2) Every person accepting delivery of neat's-foot oil or red oil for the purpose of manufacturing any other product, without regard to whether such oil is incorporated in such product; or for the purpose of resale; pursuant to the provisions of paragraph (c) (1) hereof, shall fill out and file with his supplier a certificate in the following form:

The undersigned hereby certifies to the War Food Administration, and to _____ (suppler) that the delivery of _____ pounds of _____ oil to him by said supplier, in connection with which this certificate is furnished, in _____ 194____, will not, (month) together with all other fats and oils delivered or to be delivered to him in such month, exceed the amount which he is entitled to accept delivery of under paragraph (c) (1) of Food Distribution Order 53, as amended.

(Deliveree)

By _____

(Authorized official)

Date _____

Such certificate shall be signed by an authorized official of the deliveree. The

receipt of such certificate shall not authorize the delivery of neat's-foot or red oil by a person who knows or has reason to believe the same to be false, but, in the absence of such knowledge or reason for belief, he may rely on the certificate. The person making delivery shall retain such certificate as a part of his records for at least two years or for such other periods of time as the Director may specify.

2. By inserting after the end of paragraph (s) thereof the following:

(t) *Temporary suspension of (b) with respect to animal oil.* The provisions and restrictions of paragraphs (b) (1) and (2) hereof, shall not apply to the delivery, acceptance of delivery, use, processing, or blending of animal oil by any person, when such delivery, acceptance of delivery, use, processing, or blending occurs during the period beginning on the effective date of this amendment, and ending on January 31, 1944.

(u) *Inventory limitations.* (1) No person, other than a producer or distributor, shall, after the effective date of this amendment, accept delivery of any animal oil which will cause his inventory of animal oil to exceed a quantity equal to 60,000 pounds, or the aggregate amount of animal oil used, processed, or blended, by him during any two consecutive calendar months in the period beginning on January 1, 1943, and ending on June 30, 1943, whichever is greater. In computing the aggregate amount of animal oil used, processed, or blended by any person in any two consecutive calendar months in the period beginning on January 1, 1943, and ending on June 30, 1943, the same oil shall not be counted more than once.

(2) No distributor shall accept delivery of any animal oil, after the effective date of this amendment, which will cause his inventory of animal oil to exceed a quantity equal to $\frac{1}{3}$ of the amount of animal oil which he accepted delivery of during the period beginning on January 1, 1943, and ending on June 30, 1943.

(3) Notwithstanding the provisions of paragraphs (u) (1) and (2) hereof, any person restricted by the provisions of said paragraph (u) (1), or any distributor, may accept delivery of a quantity of animal oil equal to his maximum unit, if, at the time of such acceptance of delivery, his inventory does not exceed 50% of the quantity he is permitted to have in his inventory under the applicable provisions of paragraphs (u) (1) and (2) hereof.

(4) For the purposes of paragraphs (u) (1), (2), and (3) hereof, the term "inventory" means the quantity of animal oil owned by a person and which is on his premises, in storage facilities used by him, or in transit to him.

(5) For the purposes of paragraph (u) (3) hereof, the term "maximum unit" means, with respect to any person, the largest, single, segregate, commercial quantity of animal oil which such person accepted delivery of during the period beginning on January 1, 1943 and ending on June 30, 1943. For example, such a unit might be one, but not more than one, of the following: a tank car, or fraction thereof; a tank truck, or fraction thereof; a carload, or fraction thereof, of packaged oil; or a truckload, or fraction thereof, of packaged oil.

This amendment shall become effective on October 1, 1943, as of 12:01 a. m. e. w. t. However, with respect to violations of said Food Distribution Order No. 53, rights accrued, or liabilities incurred prior to the effective date of this amendment, said Food Distribution Order No. 53 shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Issued this 2d day of October 1943.

MARVIN JONES,
War Food Administrator.

Press Release Immediate:
Monday, October 4, 1943.

The War Food Administration has suspended the allocation of animal oils—lard, tallow and fleshing oils—for three months beginning October 1 because of improved inventories.

These oils, produced from animal greases, are important in industry as metal working oils (in cutting, drawing, casting and grinding) and are essential in textile weaving and processing, leather tanning, and in the manufacture of vari-

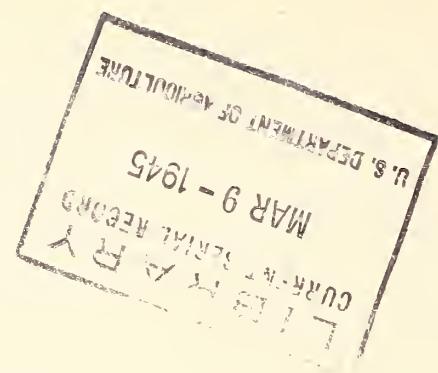
ous specialized lubricants. They have been allocated along with red oil (oleic acid) and neat'sfoot oil since July 1.

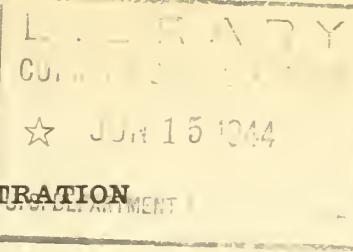
Suspension of restrictions on the use and distribution of the lard, tallow and fleshing oils was effected by an amendment to Food Distribution Order No. 53, which has provided for their allocation. The Food Distribution Administration said that red and neat'sfoot oil, in much shorter supply, must remain under allocation.

Though the amendment frees the animal oil group from allocation, it limits

the inventory of any manufacturer or distributor to 60,000 pounds, or the aggregate of the two highest consecutive months of use between January 1, 1943 and July 1, 1943, whichever is greater. Materials in transit are defined as a part of the purchaser's inventory.

The amendment also reduces to 450 pounds the quantity of red and neat'sfoot oil which can be used monthly without specific authorization from the Director of Food Distribution. The original order placed these quantities at 2,200 pounds of red oil or oleic acid, and 500 pounds of neat'sfoot oil.





WAR FOOD ADMINISTRATION

[WFO 53, Amdt. 4]

PART 1460—FATS AND OILS

RESTRICTIONS ON USE AND DISTRIBUTION OF ANIMAL OIL, NEAT'S-FOOT OIL, AND RED OIL

War Food Order 53, as amended (9 F.R. 938, 3416, 4319), § 1460.15, is amended to read as follows:

§ 1460.15 Animal oil, neat's-foot oil, and distilled red oil; restrictions on use and distribution—(a) Definitions. (1) "Animal oil" means oil pressed or otherwise separated from animal tallow or grease. It shall include, but is not limited to, grease oil, otherwise known as lard oil, tallow oil, and oil obtained from the feet of swine, commonly known as pig's foot oil. However, the term shall not include the following:

(i) Neat's-foot oil, or
(ii) Any edible oil, whether or not of the type or class heretofore mentioned, which has been inspected, and marked, stamped, tagged, or labeled as "inspected and passed", pursuant to the Act of March 4, 1907 (34 Stat. 1260, 1261; 21 U.S.C. 1940 ed. 71 et seq.), or

(iii) The high titer residue, commonly known as stearine, obtained from a pressing operation in the production of animal oil.

(2) "Neat's-foot oil" means any oil obtained by any process which includes the rendering of the feet or shin bones of cattle and which may, or may not, include a pressing operation.

(3) "Distilled red oil" means the lower titer fatty acids, commonly known as commercial oleic acid, obtained by any process which includes the splitting of animal fat and a subsequent separation by pressing, or otherwise, of such lower titer fatty acids from the higher titer fatty acids, and which have been distilled either prior to, or after, separation from the higher titer fatty acids.

(4) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(5) "Producer" means any person engaged in the production of animal oil, neat's-foot oil, or distilled red oil.

(6) "Distributor" means any person engaged in the business of purchasing animal oil, neat's-foot oil, or distilled red oil for purposes of resale.

(7) "Director" means the Director of Distribution, War Food Administration.

(8) "Certified order" means any written order delivered to a producer or distributor for distilled red oil which has included therein, or attached thereto, a certificate properly filled out and executed in accordance with the provisions of (e) (1) hereof.

(9) "Inventory" means, according to the context, either the quantity of animal oil or the quantity of neat's-foot oil owned by any person and which is on his premises, in storage facilities used by him, or in transit to him.

(10) "Maximum unit" means, according to the context, with respect to any person, either the largest, single, segregate, commercial quantity of animal oil, or the largest, single, segregate, commercial quantity of neat's-foot oil which such person accepted delivery of during the period beginning on July 1, 1943 and ending on December 31, 1943. For example, such a unit might be one, but not more than one, of the following: a tank car, or fraction thereof; a tank truck, or fraction thereof; a carload, or fraction thereof, of packaged oil; or a truckload, or fraction thereof, of packaged oil.

(11) "Set aside oil" means any distilled red oil required to be set aside under the provisions of (d) hereof.

(b) *Inventory limitations with respect to animal oil.* (1) No person, other than a producer or distributor, shall, after the effective date of this amendment, accept delivery of any animal oil which will cause his inventory of animal oil to exceed a quantity equal to 60,000 pounds, or a 60-day supply at his then current rate of consumption of animal oil, whichever is greater.

(2) No distributor shall accept delivery of any animal oil, after the effective date of this amendment, which will cause his inventory of animal oil to exceed a quantity equal to $\frac{1}{3}$ of the amount of animal oil which he accepted delivery of during the period beginning on July 1, 1943, and ending on December 31, 1943.

(3) Notwithstanding the provisions of (b) (1) and (2) hereof, any person restricted by the provisions of said (b) (1), or any distributor, may accept delivery of a quantity of animal oil equal to his maximum unit, if, at the time of such acceptance of delivery, his inventory does not exceed 50% of the quantity he is permitted to have in his inventory under the applicable provisions of (b) (1) or (2) hereof.

(c) *Inventory limitations with respect to neat's-foot oil.*—(1) No person, other than a producer or distributor, shall, after the effective date of this amendment, accept delivery of any neat's-foot oil which will cause his inventory of neat's-foot oil to exceed a quantity equal to 30,000 pounds, or a 60-day supply at his then current rate of consumption of neat's-foot oil, whichever is greater.

(2) Notwithstanding the provisions of (c) (1) hereof, any person restricted by the provisions of said (c) (1), may ac-

cept delivery of a quantity of neat's-foot oil equal to his maximum unit, if, at the time of such acceptance of delivery, his inventory of neat's-foot oil does not exceed 50% of the quantity he is permitted to have in such inventory under the provisions of (c) (1) hereof.

(d) *Distilled red oil set aside.* On the first day of each calendar month, beginning with July 1, 1944, every producer of distilled red oil shall set aside a quantity of distilled red oil equal to $\frac{1}{3}$ of the total amount of distilled red oil produced by him in the preceding calendar month. Set aside oil shall not be used, processed, blended, delivered, or delivery thereof accepted, by any person, except as specifically authorized by the Director: *Provided, however, That any distilled red oil required to be set aside hereunder on the first day of any calendar month and the delivery of which is not specifically authorized by the Director prior to the first day of the succeeding calendar month, shall be released from the restrictions of this paragraph on the said first day of such succeeding calendar month.*

(e) *Orders for distilled red oil which is not to be used for the production of liquid, industrial laundry, or household laundry soap given preference.* (1) Every person, except a distributor, who desires to obtain distilled red oil from a producer or distributor for any purpose other than the production of liquid, industrial laundry, or household laundry soap, may prior to the delivery of the distilled red oil to him, deliver to such producer or distributor a written order for such distilled red oil, which has attached thereto, or included therein, a certificate properly filled out and signed by him, in the following form:

The undersigned hereby certifies to the War Food Administration and to _____ (supplier) that this certificate constitutes a part of an order by him to said supplier for _____ pounds of distilled red oil to be delivered on or about _____, and that none of the (date)

distilled red oil which may be received by the undersigned pursuant to such order will be used by him in the production of liquid, industrial laundry, or household laundry soap.

(Purchaser)

By _____
(Authorized official)

Date

No person who receives distilled red oil as the result of such a certified order shall use any of the distilled red oil so received in the production of liquid, industrial laundry, or household laundry soap.

(2) No producer or distributor shall deliver distilled red oil to any person, other than a distributor, in any calendar month except pursuant to a specific authorization by the Director or an order certified in accordance with the provisions of (e) (1) hereof, unless and until he has delivered, offered to deliver, or made provision to deliver all distilled red oil which is ordered from him by means of certified orders which are received by him at any time before the sixteenth day of such calendar month and if subject to (d) hereof, has set aside the amount of distilled red oil required thereunder.

(f) *Further allocations.* The Director is authorized to issue orders allocating fats and oils to the production of particular kinds or grades of animal oil, neat's-foot oil, or distilled red oil.

(g) *Issuance of specific authorizations.* (1) Any person requiring an authorization to accept delivery of, use, process, or blend distilled red oil, shall file an application therefor on Forms FDA-478 and FDA-477, or such other form or forms as may be prescribed by the Director. The application shall be forwarded to the Director of Distribution, War Food Administration, Washington 25, D. C., Ref. WFO-53. In each case where the application for authorization to accept delivery, use, process, or blend, is granted, one copy of Form FDA-478, or such other form as may be prescribed by the Director, signed by the Director, will be returned to the applicant and will constitute his authorization to accept delivery, use, process, or blend, and one copy of Form FDA-477, or such other form as may be prescribed by the Director, signed by the Director, will be sent to the supplier and will constitute the authorization for the supplier to make delivery.

(2) The Director may prescribe in each authorization issued pursuant to this order, the period of time in which the authorization shall be effective. Any distilled red oil authorized by the Director to be used, processed, or blended for a specific purpose during a specific period which is not used, processed, or blended for such purpose during such period, shall not be used, processed, or blended

in any manner except upon further specific authorization by the Director, and no person shall take any action pursuant to, or in reliance on, an authorization which has expired.

(h) *Records and reports.* (1) The Director shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

(2) Every person subject to this order shall, for at least two years (or for such period of time as the Director may designate), maintain an accurate record of his transactions in animal oil, neat's-foot oil, and distilled red oil.

(3) Every producer or distributor of animal oil, neat's-foot oil, or distilled red oil, shall fill out and file with the Director of Distribution, War Food Administration, Washington 25, D. C., Ref. WFO-53, one copy of Form FDA-476 with respect to such oils and fatty acids, between the first and fifteenth day of each calendar month.

(i) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises or stocks of animal oil, neat's-foot oil, and distilled red oil of any person, and to make such investigations, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

(j) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may apply in writing for relief to the Director, setting forth in such petition all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate, which action shall be final.

(k) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using animal oil, neat's-foot oil, and distilled red oil, or any other material subject to priority

or allocation control by any governmental agency. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(l) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(m) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued by the Director, be addressed to the Director of Distribution, War Food Administration, Washington 25, D. C., Ref. WFO-53.

(n) *Territorial extent.* This order shall apply in the United States, its territories and possessions, and the District of Columbia.

(o) *Effective date.* This amendment shall become effective at 12:01 a. m., e. w. t., June 9, 1944. However, with respect to violations of said War Food Order 53, as amended, or rights accrued, or liabilities incurred thereunder, prior to said date, said War Food Order 53, as heretofore amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 9th day of June 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

War Food Administration Summary to WFO 53 Amendment 4.

The War Food Administration has amended War Food Order No. 53 to remove all restrictions on saponified (undistilled) red oil, and most of those on distilled red oil, animal oil, and neat's-foot oil. The amendment is effective June 9, 1944.

Inventory limitations on animal and neat's-foot oils are retained, as are delivery and set aside provisions with reference to distilled red oil. Former controls on the use, delivery, processing and blending of animal and pressed neat's-foot oils, suspended since April 1, 1944, now are completely removed. The removal also applies to raw neat's-foot stock, which has not been under suspension.

The inventory limitation on users of animal oil is retained at 60,000 pounds or

a 60-day supply, whichever is greater, but the limitation on users of neat's-foot oil has been increased from 5,000 to 30,000 pounds, or a 60-day supply, whichever is greater. Inventory calculations may be based on the current rate of consumption rather than on average use during the last 6 months of 1943. Animal oil distributors, however, still are required to limit their inventories to one-third of the quantity accepted by them during that 1943 base period.

The distilled red oil set-aside provision requires producers to set aside on the first day of every month a quantity of the oil equal to one-third of the quantity produced in the calendar month immediately preceding. This oil is released automatically if its delivery has not been specifically authorized by WFA prior to the first day of the succeeding month.

The delivery provision stipulates that distilled red oil may not be delivered for the production of liquid, industrial or household laundry soap prior to the 16th of each month, and then only if the producer has made provision to fill all certified orders placed by other users. Inventory limitations on distilled red oil are included in War Food Order No. 87, which limits the inventories of fatty acids.

The amendment continues a requirement that all producers and distributors of animal, neat's-foot and distilled red oil shall file with WFA's Director of Distribution a monthly report of their operations. These reports should be filed on form FDA-476 before the 15th of each month, and should be addressed to the Director of Distribution, War Food Administration, Washington 25, D. C.

WAR FOOD ADMINISTRATION
OFFICE OF DISTRIBUTION
WASHINGTON 25, D. C.

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AMDT. 7

MAR. 31, 1945

WAR FOOD ADMINISTRATION

U. S. DEPARTMENT OF AGRICULTURE

[WFO 53, Amdt. 7]

PART 1460.—FATS AND OILS

DISTILLED RED OIL

The fulfillment of requirements for the defense of the United States has resulted in a shortage in the supply of distilled red oil for defense, for private account, and for export, and it is deemed necessary and appropriate in the public interest and to promote the national defense that the order partially suspending War Food Order No. 53, issued December 1, 1944 (9 F.R. 14273), be hereby terminated, and that said War Food Order No. 53, as amended (9 F.R. 6391), be further amended to read as follows:

§ 1460.15 Distribution, delivery, use and set aside of distilled red oil—(a) Definitions. (1) "Distilled red oil" means the lower titer fatty acids, commonly known as commercial oleic acid, obtained by any process which includes the splitting of animal fat and a subsequent separation by pressing or otherwise of such lower titer fatty acids from the higher titer fatty acids, and which have been distilled either prior to or after separation from the higher titer fatty acids.

(2) "Producer" means any person who produces distilled red oil.

(3) "Distributor" means any person who acquires distilled red oil for resale.

(4) "User" means any person who uses distilled red oil in the manufacture of any other product, regardless of whether distilled red oil is incorporated into such other product.

(5) "Certified order" means a written order to a producer or distributor which has attached thereto or incorporated therein a certificate executed in accordance with paragraph (c) hereof.

(6) "Pharmaceuticals and medicinal preparations" shall not include tooth paste, tooth powder, toilet soap, shaving cream, hand lotion, after shaving lotion, hair dressing, hair tonic, or any other product intended to be applied to the human body for cleansing, beautifying, promoting attractiveness, or altering the appearance.

(7) "Inventory" means the total quantity of distilled red oil owned by any person, wherever located.

(8) "Eastern zone" means that area of the United States and the District of Columbia lying east of the eastern boundaries of the States of Montana, Wyoming, Colorado, and New Mexico.

(9) "Western zone" means that area of the United States and the District of Columbia lying west of the eastern boundaries of the States of Montana, Wyoming, Colorado, and New Mexico.

(10) "Current rate of consumption", as determined on any particular date, means the amount of distilled red oil used during the 30-day period immediately prior to such date, or the amount of distilled red oil scheduled for use during the 30-day period immediately following such date.

(11) "Maximum unit" means the largest, single, segregate, commercial quantity of distilled red oil shipped to and accepted by any person during the calendar year 1944.

(12) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(13) "Director" means the Director of Marketing Services, War Food Administration.

(b) *Delivery restrictions.* Except as specifically authorized by the Director, no person shall, in any calendar month, deliver distilled red oil on other than certified orders to any person except a distributor unless and until he has, before the end of such month, filled or offered to fill all certified orders received by him or or before the 16th day of such month.

(c) *Certified orders.* (1) Any user who requires distilled red oil for lubrication of wool fibers for spinning or weaving; spin bath lubricants for synthetic fiber manufacturing (filament only); flotation of tungsten, lithium, kyanite, magnesite, or fluorspar; pharmaceuticals and medicinal preparations; or any other use certified by the Order Administrator, may transmit to his supplier a written order which has attached thereto or incorporated therein a properly executed certificate in the following form:

The undersigned hereby certifies to the War Food Administrator and to _____ (Name and address

_____ that he is familiar with the of supplier)

terms of War Food Order No. 53, that this certificate is furnished in order to enable the undersigned to obtain preferred delivery, in accordance with War Food Order No. 53, of _____ pounds of distilled red oil, and that he will use all of such distilled red oil as follows (check applicable use):

- Lubrication of wool fibers for spinning or weaving.
- Spin bath lubrication for synthetic fiber manufacturing (filament only).
- Flotation of tungsten, lithium, kyanite, magnesite, or fluorspar.
- Pharmaceuticals and medicinal preparations.
- Use certified by Order Administrator bearing Authorization No. _____

_____ (Purchaser)

By _____ (Authorized official)

(Date)

(2) No user who receives distilled red oil under a certified order shall use any part thereof for any purpose other than the use indicated in such certificate.

(d) *Set aside.* Every producer shall, during each calendar month, after the fulfillment of all certified orders received by him on or before the 16th day of such month, set aside, reserve, and hold for delivery in accordance with specific authorization by the Order Administrator, 25 percent of the remaining balance of all distilled red oil produced by him during such month. Distilled red oil so set aside

shall not be used, processed, delivered, or received by any person except as specifically authorized by the Order Administrator. Any distilled red oil so set aside, the delivery of which is not specifically authorized by the Order Administrator before the first day of the succeeding calendar month, shall, without further notice to the producer, be released from the provisions of this paragraph (d).

(e) *Inventory restrictions.* Except as hereinafter provided:

(1) No distributor shall accept delivery of distilled red oil in any quantity which will cause his inventory to exceed the following number of days' supply based upon his deliveries during the preceding calendar month:

(i) Distributors located in the Eastern zone—20 days' supply;

(ii) Distributors located in the Western zone—30 days' supply.

(2) No user shall accept delivery of distilled red oil in any quantity which will cause his inventory to exceed the following number of days' supply based upon his current rate of consumption:

(i) Users located in the Eastern zone—30 days' supply;

(ii) Users located in the Western zone—45 days' supply.

(f) *Inventory exemption; Maximum units.* Subject to the requirements of paragraph (g) of this order, any user or distributor whose inventory does not exceed two-thirds of the quantity which he is permitted to have under the applicable provision of paragraph (e) may accept delivery of not more than one maximum unit, provided that such acceptance shall not cause his inventory to exceed twice the quantity which he is permitted to have under the applicable provision of paragraph (e).

(g) *Inventory certificates.* No person shall deliver and no person shall accept delivery of more than 50 pounds of distilled red oil in any calendar month unless the person accepting delivery executes and furnishes to his supplier a certificate in the following form:

The undersigned hereby certifies to the War Food Administration and to _____ (Name and

_____ that he is familiar with the address of supplier)

terms of War Food Order No. 53, that this certificate is furnished in order to enable the undersigned to acquire _____ pounds of distilled red oil, to be delivered on or about _____, and that the receipt by him of such distilled red oil will not increase his inventory beyond the amount permitted under War Food Order No. 53.

_____ (Purchaser)

By _____ (Authorized official)

(Date)

(h) *Transfers between branches or departments.* The transfer of distilled red oil between units, departments, branches, plants, or companies owned, controlled, or directed by the same person but engaged in separate activities as producers,

distributors, or users shall constitute delivery and acceptance of delivery within the meaning of this order.

(i) *Records and reports.* (1) All certified orders and all certificates executed under paragraphs (c) or (g) of this order shall be retained for at least two years and shall, upon request, be submitted to the Director for examination. All statements contained in such certificates shall be deemed representations to an agency of the United States. No person shall be entitled to rely upon any such certificate if he knows or has reasonable cause to believe it to be false.

(2) Every producer shall, within 15 days after the end of each calendar month, execute and mail to the Order Administrator one copy of Form FDA-476, showing his actual and estimated production, deliveries, and stocks of distilled red oil.

(3) Every person who uses more than 3,000 pounds of distilled red oil in any calendar quarter shall execute and mail to the Bureau of the Census, Washington 25, D. C., Bureau of the Census Form BM-1 for each calendar month, on or before the 15th day of the following month, and Bureau of the Census Form BM-2 for each calendar quarter on or before the 15th day of the second month following such calendar quarter. Nothing contained herein shall be construed as requiring any person to file more than one Form BM-1 in any month, nor more than one Form BM-2 in any calendar quarter, except that a separate report shall be filed for each plant in which such person uses distilled red oil.

(4) The Director shall be entitled to obtain such information from and required such reports and the keeping of such records by, any person, as may be necessary or appropriate, in his discretion to the enforcement or administration of the provisions of this order.

(5) Every person subject to this order shall, for at least two years, or for such

other period of time as the Director may designate, maintain an accurate record of his production of and transactions in distilled red oil.

(j) *Existing contracts.* The restrictions of this order shall be observed without regard to existing contracts or any rights accrued or payments made thereunder.

(k) *Audits and inspections.* The Director shall be entitled to make such audits or inspections of the books, records and other writings, premises, or stocks of distilled red oil of any person, and to make such investigations as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(l) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the Order Administrator. Petitions shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The Order Administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Director. If the petitioner is dissatisfied with the action taken by the Order Administrator, he may, by request addressed to the Order Administrator, obtain a review of such action by the Director. After said review, the Director may take such action as he deems appropriate, which action shall be final.

(m) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using distilled red oil. Any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Civil action may also be instituted to enforce any liability or duty created by, or to

enjoin any violation of, a provision of this order.

(n) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(o) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise provided, be addressed to the Order Administrator, War Food Order No. 53, Fats and Oils Branch, Office of Marketing Services, War Food Administration, Washington 25, D. C.

(p) *Territorial scope.* This order shall apply within the 48 States and the District of Columbia.

(q) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., April 1, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 53, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and all subsequent reporting and record-keeping requirements will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; 8 F.R. 3932, 8 F.R. 14783)

Issued this 31st day of March 1945.

WILSON COWEN,
Assistant War Food Administrator.

War Food Administration,
Summary to WFO-53 Amendment 7.
Distribution, Use of Red Oil Regulated

The War Food Administration has reinstated and amended War Food Order No. 53—partially suspended since August, 1944—to regulate distribution and use of distilled red oil, commonly known as commercial oleic acid.

In addition to restricting the distribution and use of red oil, the amended order, effective April 1, 1945, limits the inventories of distributors and users and requires producers to set aside a portion of their monthly output for specific WFA authorization.

While WFO 53 originally regulated the use of red oil, animal oil and neat's-foot oil, the amended order covers red oil only. It sets up a group of certified (essential) uses for the oil and requires suppliers to fill orders for these uses (if received on or before the 16th of each month) before handling orders for less essential uses.

The certified uses are (1) the lubrication of wool fibers for spinning or weaving; (2) as spin bath lubricants for synthetic fiber manufacturing (filament only); (3) in the flotation of tungsten, lithium, kyanite, magnesite, or fluor spar; (4) in pharmaceutical and medical preparations; and (5) for any use certified by the administrator of WFO 53 and bearing and an authorization number.

After producers have filled (or offered to fill) all certified orders received on or before the 16th of the month, they are required by the amended order to set aside 25 percent of their remaining monthly production for emergency delivery to essential users.

For the purpose of inventory limitation, the country is divided by the order into two zones. The Eastern zone comprises the area lying east of the eastern boundaries of Montana, Wyoming, Colorado, and New Mexico, and the Western zone comprises the area lying west of these boundaries. This division was

made to compensate for transportation difficulties to the Western zone, since most of the Nation's red oil supplies are produced in the Eastern area.

In the Eastern zone, distributors of the oil are limited to a 20-day and users to a 30-day supply. In the Western zone distributors may maintain a 30-day supply, and users, a 45-day supply. Distributors limitations are based on deliveries during the preceding calendar month, while those of users are based on their current rate of consumption.

Within 15 days after the end of each calendar month, producers are required by WFO 53 to report to WFA (on Form FDA-476) showing actual and estimated production, deliveries, and stocks on hand.

Users of more than 3,000 pounds of distilled red oil in any calendar quarter are required to file monthly and quarterly reports to the Bureau of the Census on Forms BM-1 and BM-2.

AUG 20 1945

[WFO 53, Amdt. 8]
U. S. DEPARTMENT OF AGRICULTURE
PART 1460—FATS AND OILS
RED OIL

War Food Order No. 53, as amended (10 F.R. 3510, 3572), is further amended to read as follows:

§ 1460.15 Distribution, delivery and use of red oil—(a) **Definitions.** (1) "Red oil" means the lower titer fatty acids, commonly known as commercial oleic acid, obtained by any process which includes the splitting of animal fat and a subsequent separation, by pressing or otherwise, of such lower titer fatty acids from the higher titer fatty acids.

(2) "Distilled red oil" means red oil which has been distilled either prior to or after separation from the higher titer fatty acids.

(3) "Saponified red oil" means red oil which has not been distilled either prior to or after separation from the higher titer fatty acids.

(4) "Producer" means any person who produces red oil.

(5) "Distributor" means any person who acquires red oil for resale.

(6) "User" means any person who processes or blends red oil, or who uses red oil in the manufacture of any other product, regardless of whether red oil is incorporated into such other product.

(7) "Use" includes processing or blending.

(8) "Certified order" means a written order for saponified red oil to a producer or distributor thereof, which has attached thereto or incorporated therein a certificate executed in accordance with paragraph (e) hereof.

(9) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons whether incorporated or not.

(10) "Director" means the Director of Marketing Services, War Food Administration.

(b) **Distilled red oil; restrictions.** No person shall deliver, receive or use distilled red oil except in accordance with a specific or general authorization by the Director under the provisions of this order.

(1) Specific authorization shall be required for the delivery to any one person in any calendar month, and the receipt or use, by such person in such month, of more than 450 pounds of distilled red oil. Specific authorizations may be issued upon the application of the person who desires to receive or use such distilled red oil.

(2) General authorization shall be required for the delivery to any user of distilled red oil in quantities not exceeding 450 pounds per calendar month. General authorizations may be issued upon the application of the producer or distributor who desires to deliver distilled red oil. General authorizations shall state the maximum quantity of distilled red oil which the producer or distributor may deliver during any calendar month.

WAR FOOD ADMINISTRATION

WFO 53

AMDT. 8
MAY 10, 1945

No person shall deliver distilled red oil under a general authorization in excess of the maximum quantity permitted for such calendar month.

(3) No person shall deliver and no user shall receive distilled red oil under paragraph (b) (2) hereof, unless such user executes and furnishes to his supplier a certificate in the following form:

The undersigned hereby certifies to the War Food Administration and to _____ Name and _____

_____ that he is familiar address of supplier

Name and address of supplier with the terms of War Food Order No. 53, that this certificate is furnished in order to enable the undersigned to acquire _____ pounds of distilled red oil, to be delivered on or about _____, and that the receipt by him of such distilled red oil will not increase his total receipts of distilled red oil during such month beyond 450 pounds.

Purchaser
By _____
Date _____
Authorized official _____

(c) **Issuance of specific and general authorizations.** (1) Applications for specific authorizations shall be made by the user or distributor on Form FDA 478, and shall be accompanied by Form FDA 477 where the applicant desires to receive distilled red oil from another person. Applications for general authorizations shall be made on Form FDA 478 by the producer or distributor who desires to deliver distilled red oil. All applications shall be filed on or before the 15th day of the month preceding the month in which delivery, receipt or use is requested. *Provided, however,* That applications for delivery, receipt or use during June 1945 may be filed on or before May 20, 1945. Insofar as practicable, the Director will issue authorizations prior to the beginning of the calendar month in which delivery, receipt or use is requested.

(2) The Director may prescribe the period of time during which an authorization shall be effective. No person shall deliver, receive or use distilled red oil under an authorization which has expired. To the extent that any distilled red oil is not used for the specific purpose for which or during the specific period in which its use is authorized, such red oil shall revert to inventory and shall remain subject to all the provisions of this order.

(d) **Saponified red oil; restrictions.** Except as specifically authorized by the Director, no person shall, in any calendar month, deliver saponified red oil to any person other than a distributor unless and until he has, before the end of such month, filled or offered to fill all certified orders for saponified red oil received by him on or before the first day of such month.

(e) **Certified orders.** (1) Any user who requires saponified red oil for any purpose other than the manufacture of liquid, industrial laundry, or household laundry soap may transmit to his sup-

plier a written order which has attached thereto or incorporated therein a properly executed certificate in the following form:

"The undersigned hereby certifies to the War Food Administration and to _____ Name and _____ that he is familiar address of supplier with the terms of War Food Order No. 53, that this certificate is furnished in order to enable the undersigned to obtain preferred delivery, in accordance with War Food Order No. 53, of _____ pounds of saponified red oil, to be delivered on or about _____, and that he will not use any part of such saponified red oil in the manufacture of liquid, industrial laundry, or household laundry soap."

Purchaser
By _____
Authorized official _____

Date
(2) No user who receives saponified red oil under a certified order shall use any part thereof in the manufacture of liquid, industrial laundry, or household laundry soap.

(f) **Records and reports.** (1) All certified orders and all certificates executed under paragraphs (b) (3) or (e) of this order shall be retained for at least two years and shall, upon request, be submitted to the Director for examination. All statements contained in such certificates shall be deemed representations to an agency of the United States. No person shall be entitled to rely upon any such certificate if he knows or has reasonable cause to believe it to be false.

(2) Every producer shall, within 15 days after the end of each calendar month, execute and mail to the Order Administrator one copy of Form FDA 476 showing, separately, his actual and estimated production, deliveries, and stocks of distilled red oil and saponified red oil.

(3) Every person who uses more than 3,000 pounds of red oil in any calendar quarter shall execute and mail to the Bureau of the Census, Washington 25, D. C., Bureau of the Census Form BM-1 for each calendar month, on or before the 15th day of the following month, and Bureau of the Census Form BM-2 for each calendar quarter on or before the 15th day of the second month following such calendar quarter. Nothing contained herein shall be construed as requiring any person to file more than one Form BM-1 in any month, nor more than one Form BM-2 in any calendar quarter, except that a separate report shall be filed for each plant in which such person uses red oil.

(4) The Director shall be entitled to obtain such information from and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order, subject to the approval of the Bureau of the

Budget in accordance with the Federal Reports Act of 1942.

(5) Every person subject to this order shall, for at least two years or for such other period of time as the Director may designate, maintain an accurate record of his production of and transactions in red oil.

(g) *Existing contracts.* The restrictions of this order shall be observed without regard to existing contracts or any rights accrued or payments made thereunder.

(h) *Audits and inspections.* The Director shall be entitled to make such audits or inspections of the books, records and other writings, premises, or stocks of red oil of any person, and to make such investigations as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(i) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the Order Administrator. Petitions shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The Order Administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Director. If the petitioner is

dissatisfied with the action taken by the Order Administrator, he may, by request addressed to the Order Administrator, obtain a review of such action by the Director. After said review, the Director may take such action as he deems appropriate, which action shall be final.

(j) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using red oil. Any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Civil action may also be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(k) *Delegation of authority.* (1) The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(2) The Director is authorized, in his discretion, to allocate fats and oils, or facilities used in the manufacture of red oil, to the production of particular types or grades of red oil.

(l) *Communications.* All applications for authorizations to deliver, receive or use distilled red oil, all reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise provided, be addressed to the Order Administrator, War Food Order No. 53, Fats and Oils Branch, Office of Marketing Services, War Food Administration, Washington 25, D. C.

(m) *Territorial scope.* This order shall apply within the 48 States and the District of Columbia.

(n) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., June 1, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 53, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 10th day of May 1945.

ASHLEY SELLERS,
Assistant War Food Administrator.

War Food Administration,
Summary to WFO 53, Amdt. 8.

Distilled red oil (commercial oleic acid) will be returned to allocation beginning June 1, 1945. After that date, this raw material, highly essential in war production, will be distributed and used only upon specific authorization by the War Food Administration.

The allocation of red oil, suspended April 1, 1944, is being resumed under an amendment to War Food Order No. 53. Set aside provisions and inventory limitations, in effect under the order since

April 1, 1945, have been eliminated. Delivery and use of the oil in quantities of 450 pounds or less in any calendar month are permitted under general authorization.

Because saponified red oil is used as a replacement for distilled red oil when the latter is not available, the amendment places the saponified product in a preferential delivery status to make it available for essential uses before it can be used in producing liquid, industrial laundry or household laundry soap. Inventories of saponified red oil will be

subject to the limitation provisions of WFO 87.

Applications for authorization to distribute and use red oil should be filed with WFA (on Form FDA-478, and FDA-477 if delivery is to be accepted from another person) by the 15th of the month preceding its contemplated delivery or use. Applications for June (1945), however, will be received up to and including May 20, 1945. All applications should be directed to the Fats and Oils Branch, Office of Marketing Services, War Food Administration, Washington 25, D. C. Ref: WFO 53.

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WFO 53

PARTIAL SUSPENSION
AUG. 21, 1944

WAR FOOD ADMINISTRATION

[WFO 53, Partial Suspension]

PART 1460—FATS AND OILS

PARTIAL SUSPENSION OF RESTRICTIONS WITH RESPECT TO ANIMAL OIL, NEAT'S-FOOT OIL, AND RED OIL

The provisions of § 1460.15, (b), (c), (d) and (e) of War Food Order No. 53, as amended (9 F.R. 6391), are suspended until December 1, 1944.

This order shall become effective at 12:01 a. m., e. w. t., Aug. 22, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under War Food Order No. 53, as amended, prior to said date, all provisions of said War Food Order No. 53, as amended, in effect prior thereto, shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or

other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 21st day of August 1944.

MARVIN JONES,
War Food Administrator.

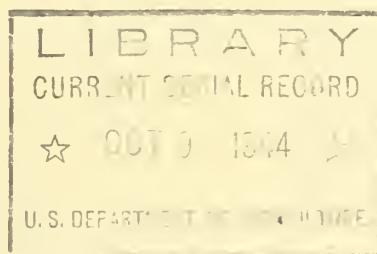
War Food Administration summary to WFO-53—Partial Suspension

The War Food Administration has suspended until December 1, 1944, the provisions of War Food Order No. 53 which have controlled the use, processing and delivery of animal, neat's-foot

and distilled red oil in varying degrees for more than a year. Producers and distributors of these products, however, still are required to make monthly reports on form FDA-476.

When originally issued, WFO 53 provided for allocation of the 3 industrial oils from producers to industrial users,

and authorized the designation of quantities to be used for specific purposes. A series of amendments meanwhile, however, removed all controls except an inventory limitation on animal and neat's-foot oil, and set aside provisions covering distilled red oil. The last amendment was dated June 9, 1944.



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WAR FOOD ADMINISTRATION
OFFICE OF DISTRIBUTION
WASHINGTON 25, D. C.

OFFICIAL BUSINESS

Penalty for Private Use to Avoid Payment of
Postage, \$300



WAR FOOD ADMINISTRATION

[WFO 53, Partial Suspension]

PART 1460—FATS AND OILS

PARTIAL SUSPENSION OF RESTRICTIONS WITH
RESPECT TO ANIMAL OIL, NEAT'S-FOOT OIL,
AND RED OIL

The provisions of § 1460.15 (b), (c), (d), and (e) of War Food Order No. 53, as amended (9 F.R. 6391), are suspended until March 31, 1945.

This order shall become effective at 12:01 a. m., e. w. t., December 1, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 53, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding

with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 1st day of December 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

War Food Administration,
Summary to WFO-53, Partial Suspension.

The War Food Administration has extended until March 31, 1945 the current

partial suspension of War Food Order No. 53 which restricted the use, processing and delivery of animal, neat's-foot and red oils. The partial suspension, removing all provisions of the order except

the reporting requirements, was dated August 21, 1944. The reporting provision still is in effect. It requires producers and distributors of the 3 oils to make monthly reports on form FDA-476.

